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Inventors: Rao et al.
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REMARKS

Claims 1-49 are pending in the instant application. Claims 1-49 have been subjected to a Restriction Requirement as follows:

Group I, claims 1-6 and 12, drawn to a population of mammalian CNS glial restricted precursor cells, classified in Class 435, subclass 325;

Group II, claims 7-11, drawn to a method of isolating mammalian CNS glial-restricted precursor cells using antibodies to capture these cells, classified in class 435, subclass 395;

Group III, claims 13-19 and 49, drawn to a method of obtaining glial cells under differentiating conditions, classified in class 435, subclass 373;

Group IV, claims 20-36 and 43-47, drawn to a method of treating neurodegenerative disease, or promoting CNS neuronal survival or axonal regeneration, comprising administering glial restricted precursor cells, classified in class 424, subclass 93.1;

Group V, claims 37-38, drawn to a method of treating neurodegenerative disease comprising administering genetically modified glial restricted precursor cells, classified in class 424, subclass 93.21;

Group VI, claims 39-42, drawn to a method of reducing glial

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scar formation or promoting wound healing comprising administering glial restricted precursor cells, classified in class 424, subclass 93.1; and

Group VII, claim 48, drawn to a method of screening compounds for neurological activity using glial restricted precursor cells, classified in class 435, subclass 7.21.

The Examiner suggests that the inventions are distinct.

Specifically, with respect to Groups II-VII, the Examiner suggests that these methods are patentably distinct inventions because they require physically and functionally distinct elements and because one is not required for the other.

With respect to Groups I and II-IV, and VI-VII, the Examiner has acknowledged their relatedness as product and process of use. However, the Examiner suggests that the CNS glial restricted precursor cells of Group I can be used in other materially different methods than Groups VI-VII and can be isolated using different methods to those of Groups II-III.

Applicants respectfully traverse this Restriction Requirement.

MPEP §803 is quite clear; for a proper restriction requirement, it must be shown (1) that the inventions are independent or distinct AND (2) that there would be a serious


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burden on the Examiner if the restriction is not required. A search for art relating to glial restricted precursors cells would clearly also reveal art relating to methods for their isolation, methods for differentiation into glial cells and methods for use of these cells. Thus, inclusion of all claims in the prosecution of this case should not place any undue or serious burden on the Examiner.

Accordingly, reconsideration of this Restriction Requirement and searching and examination of pending claims 1-49 of the instant application are respectfully requested.

However, in an earnest effort to be completely responsive, Applicants elect to prosecute Group III, claims 13-19 and 49, with traverse.

Respectfully submitted,



Kathleen A. Tyrrell
Registration No. 38,350

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LICATA & TYRRELL P.C.
66 E. Main Street
Marlton, New Jersey 08053

(856) 810-1515